

**TREATMENT AND RECYCLING FOR BENEFICIAL USE OF
DRILL CUTTINGS****CHAPTER 184**

S.B. No. 1541

AN ACT**relating to the treatment and recycling for beneficial use of drill cuttings.***Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 123.001, Natural Resources Code, is amended by adding Subdivision (4) to read as follows:

(4) *"Treatment" means a manufacturing, mechanical, thermal, or chemical process other than sizing, shaping, diluting, or sorting.*

SECTION 2. Chapter 123, Natural Resources Code, is amended by adding Section 123.0015 to read as follows:

Sec. 123.0015. **BENEFICIAL USE.** (a) *For the purposes of this chapter, a use of drill cuttings is considered to be beneficial if the cuttings are used:*

- (1) *in the construction of oil and gas lease pads or oil and gas lease roads; or*
- (2) *as part of a legitimate commercial product.*

(b) *The commission by rule shall define "legitimate commercial product" for the purposes of this chapter.*

(c) *The commission by rule shall adopt criteria for beneficial uses to ensure that a beneficial use of recycled drill cuttings under this chapter is at least as protective of public health, public safety, and the environment as the use of an equivalent product made without recycled drill cuttings.*

SECTION 3. Section 123.005, Natural Resources Code, is amended to read as follows:

Sec. 123.005. **COMMISSION RULES, PERMITS, AND ORDERS FOR TREATMENT AND BENEFICIAL USE.** (a) *The commission shall adopt rules to govern the treatment and beneficial use of drill cuttings.*

(b) *A rule adopted by the commission under this chapter or a permit or order issued by the commission regarding the treatment and beneficial use of drill cuttings must be at least as protective of public health, public safety, and the environment as a rule, permit, or order, respectively, adopted or issued by the commission regarding the disposal of drill cuttings.*

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed the Senate on April 19, 2017: Yeas 31, Nays 0; the Senate concurred in House amendment on May 16, 2017: Yeas 30, Nays 0; passed the House, with amendment, on May 9, 2017: Yeas 145, Nays 0, two present not voting.

Approved May 26, 2017.

Effective May 26, 2017.